

REMARKS

Thorough examination of the application is sincerely appreciated.

According to the Office Action, claims 22 – 35 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 – 14 of U.S. Patent No. 6,629,318 (hereinafter '318 patent). The '318 patent is commonly owned with the present application.

Since no rejections are asserted against Applicants' claims under 35 USC 112, 35 USC 102 or 35 USC 103, and no prior art references are cited in the Office Action, the examiner effectively concedes that claims 22 – 35 of the instant application are in a condition for allowance but for the obviousness-type double patenting rejection. Confirmation of this understanding is respectfully requested.

In response to the rejection of claims 22 – 35, in order to conclude the prosecution of the application and without conceding any statements or waiving any arguments in the Office Action, a terminal disclaimer is submitted in compliance with 37 CFR 1.321(c), thereby obviating the above-mentioned double-patenting rejection.

An earnest effort has been made to be fully responsive to the Examiner's correspondence and advance the prosecution of this case. In view of the above amendments and remarks, it is believed that the present application is in condition for allowance, and an early notice thereof is earnestly solicited.

Please charge any additional fees, including the fee for the terminal disclaimer, associated with this application to Deposit Account No. 14-1270.

Respectfully submitted,

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By /Larry Liberchuk/
Larry Liberchuk, Reg. No. 40,352
Senior IP Counsel
Philips Electronics N.A. Corporation
914-333-9602